

Please type a plus sign (+) inside this box ☐ [ + ]

Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

06-01-01  
ved for use through 10/31/2002. OMB 0651-0032

A

05/31/01

<b>UTILITY PATENT APPLICATION TRANSMITTAL</b> Only for new nonprovisional applications under 37 CFR 1.53(b)	Attorney Docket No.:	Sprint IDF 1595 (4000-04000))
	First Inventor or Application Identifier	Balagurunathan Balasubramanian et al
	Title	Method and Software for Testing and Performance Monitoring
	Express Mail Label No.	EL733145421US

**APPLICATION ELEMENTS**

See MPEP chapter 600 concerning utility patent application contents.

1. ☒ Fee Transmittal Form (e.g. PTO/SB17)  
(Submit an original, and a duplicate for fee processing)
2. ☐ Applicant claims small entity status.  
See (Submit an original, and a duplicate for fee processing)
3. ☒ Specification [Total Pages]: **38**  
(preferred arrangement set forth below)
  - Descriptive title of the invention
  - Cross References to Related Applications
  - Statement Regarding Fed sponsored R & D
  - Reference to Microfiche Appendix
  - Background of the Invention
  - Brief Summary of the Invention
  - Brief Description of the Drawings (if filed)
  - Detailed Description
  - Claims(s)
  - Abstract of the Disclosure
4. ☒ Drawing(s) (35 USC 113) Total Sheets: **12**
5. ☒ Oath or Declaration Total Pages: **2**
  - a. ☒ Newly executed (original or copy)
  - b. ☐ Copy from a prior application (37 CFR 1.63(d))  
(for continuation/divisional with Box 17 completed)
    - i. ☐ DELETION OF INVENTOR(S)  
Signed statement attached deleting inventor(s)  
named in the prior application, see 37 CFR 1.63(d)(2) and 1.33(b).
6. ☐ Application Data Sheet. See 37 CFR 1.76

**ADDRESS TO: Assistant Commissioner for Patents  
Box Patent Application  
Washington, DC 20231**

7. ☐ CD-ROM or CD-R in duplicate, large table or Computer Program (Appendix)
8. ☐ Nucleotide and/or Amino Acid Sequence Submission  
(if applicable, all necessary)
  - a. ☐ Computer Readable Form (CRF)
  - b. ☐ Specification Sequence Listing on:
    - i. ☐ CD-ROM or CD-R (2 copies); or
    - ii. ☐ paper
  - c. ☐ Statements verifying identity of above copies)

**ACCOMPANYING APPLICATION PARTS**

9. ☒ Assignment Papers (cover sheet & document(s))
10. ☐ 37 C. FR 3.73(b) Statement [ ] Power of Attorney  
(when there is an assignee)
11. ☐ English Translation Document (if applicable)
12. ☐ Information Disclosure Statement (IDS)/PTO-1449  
☐ Copies of IDS Citations
13. ☐ Preliminary Amendment
14. ☒ Return Receipt Postcard (MPEP 503)  
(Should be specifically itemized)
15. ☐ Certified Copy of Priority Document(s)  
(if foreign priority is claimed)
16. ☒ Request and Certification under 35 U.S.C. 122(b)(2)(B)(i).  
Applicant must attach form PTO/SB/35 or its equivalent.
17. ☐ Other

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76:

☐ Continuation ☐ Divisional ☐ Continuation-in-part (CIP) of prior application No.: \_\_\_\_\_

Prior application information: Examiner: \_\_\_\_\_ Group Art Unit: \_\_\_\_\_

For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

**19 CORRESPONDENCE ADDRESS**

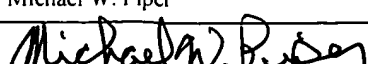
☐ Customer Number or Bar Code Label (Insert Customer No. or Attach bar code label here) **21396** or ☒ Correspondence address below

NAME	Steven J. Funk				
ADDRESS	Sprint Law Department				
	8140 Ward Parkway				
CITY	Kansas City	STATE	Missouri	ZIP CODE	64114
COUNTRY	USA	TELEPHONE	913-624-6828	FAX	913-624-6388
Name (Print Type)	Michael W. Piper		Registration No. (Attorney/Agent)	39,800	
Signature	<i>Michael W. Piper</i>		Date:	May 31, 2001	

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<b>FEE TRANSMITTAL</b> <b>FY 2000</b> Patent fees are subject to annual revision.		<b>Complete if Known</b>	
		Application Number	Not Yet Assigned
		Filing Date	Concurrently Herewith
		First Named Inventor	Balagurunathan Balasubramanian, et al.
		Group Art Unit	
		Examiner Name	
TOTAL AMOUNT OF PAYMENT	(\$ 830.00)	Attorney Docket Number	Sprint IDF 1595 (4000-04000)

METHOD OF PAYMENT (check one)	FEE CALCULATION (continued)																																																																																																																																																																																																																																																																																					
1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any over payments to:  Deposit Account No.: 21-0765 Deposit Account Name: Sprint  <input checked="" type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17  <input type="checkbox"/> Payment Enclosed: <input type="checkbox"/> Check <input type="checkbox"/> Money Order <input type="checkbox"/> Other  <div style="border: 1px solid black; padding: 5px;"> <b>FEE CALCULATION</b>   <b>BASIC FILING FEE</b>  <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Large Fee Code</th> <th>Entity Fee (\$)</th> <th>Small Fee Code</th> <th>Entity Fee (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr> <td>101</td> <td>710</td> <td>201</td> <td>355</td> <td>Utility filing fee</td> <td>\$</td> </tr> <tr> <td>106</td> <td>320</td> <td>206</td> <td>160</td> <td>Design filing fee</td> <td>\$</td> </tr> <tr> <td>107</td> <td>490</td> <td>207</td> <td>245</td> <td>Plant filing fee</td> <td>\$</td> </tr> <tr> <td>108</td> <td>710</td> <td>208</td> <td>355</td> <td>Reissue filing fee</td> <td>\$</td> </tr> <tr> <td>114</td> <td>150</td> <td>214</td> <td>75</td> <td>Provisional filing fee</td> <td>\$</td> </tr> <tr> <td colspan="5" style="text-align: right;"><b>SUBTOTAL (1)</b></td> <td><b>\$ 710.00</b></td> </tr> </tbody> </table> </div> 2. <b>EXTRA CLAIM FEES</b>  <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th></th> <th>Extra</th> <th>below</th> <th>Fee from</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr> <td>Total Claims 18 - 20 = 0</td> <td>x</td> <td>18.00 =</td> <td>\$</td> <td></td> </tr> <tr> <td>Independent Claims 4 - 3 = 1</td> <td>x</td> <td>80.00 =</td> <td>\$80</td> <td></td> </tr> <tr> <td>Multiple Dependent</td> <td></td> <td>270.00 =</td> <td>\$</td> <td></td> </tr> </tbody> </table> <div style="border: 1px solid black; padding: 5px;"> <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Large Fee Code</th> <th>Entity Fee (\$)</th> <th>Small Fee Code</th> <th>Entity Fee (\$)</th> <th>Fee Description</th> </tr> </thead> <tbody> <tr> <td>103</td> <td>18</td> <td>203</td> <td>9</td> <td>Claims in excess of 20</td> </tr> <tr> <td>102</td> <td>80</td> <td>202</td> <td>40</td> <td>Independent claims in excess of 3</td> </tr> <tr> <td>104</td> <td>270</td> <td>204</td> <td>135</td> <td>Multiple dependent claim</td> </tr> <tr> <td>109</td> <td>80</td> <td>209</td> <td>40</td> <td>Reissue independent claims over original patent</td> </tr> <tr> <td>110</td> <td>18</td> <td>210</td> <td>9</td> <td>Reissue claims in excess of 20 and over original patent</td> </tr> <tr> <td colspan="5" style="text-align: right;"><b>SUB TOTAL (2) \$ 80.00</b></td> </tr> </tbody> </table> </div>	Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid	101	710	201	355	Utility filing fee	\$	106	320	206	160	Design filing fee	\$	107	490	207	245	Plant filing fee	\$	108	710	208	355	Reissue filing fee	\$	114	150	214	75	Provisional filing fee	\$	<b>SUBTOTAL (1)</b>					<b>\$ 710.00</b>		Extra	below	Fee from	Fee Paid	Total Claims 18 - 20 = 0	x	18.00 =	\$		Independent Claims 4 - 3 = 1	x	80.00 =	\$80		Multiple Dependent		270.00 =	\$		Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	103	18	203	9	Claims in excess of 20	102	80	202	40	Independent claims in excess of 3	104	270	204	135	Multiple dependent claim	109	80	209	40	Reissue independent claims over original patent	110	18	210	9	Reissue claims in excess of 20 and over original patent	<b>SUB TOTAL (2) \$ 80.00</b>					3. <b>ADDITIONAL FEES</b>  <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Large Fee Code</th> <th>Entity Fee (\$)</th> <th>Small Fee Code</th> <th>Entity Fee (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr> <td>105</td> <td>130</td> <td>205</td> <td>65</td> <td>Surcharge - late filing fee or oath</td> <td>\$</td> </tr> <tr> <td>127</td> <td>50</td> <td>227</td> <td>25</td> <td>Surcharge - late provisional filing fee or cover sheet</td> <td>\$</td> </tr> <tr> <td>139</td> <td>130</td> <td>139</td> <td>130</td> <td>Non-English specification</td> <td>\$</td> </tr> <tr> <td>147</td> <td>2,520</td> <td>147</td> <td>2,520</td> <td>For filing a request for reexam</td> <td>\$</td> </tr> <tr> <td>112</td> <td>920*</td> <td>112</td> <td>920*</td> <td>Requesting publication of SIR prior to Examiner action</td> <td>\$</td> </tr> <tr> <td>113</td> <td>1,840*</td> <td>113</td> <td>1,840*</td> <td>Requesting publication of SIR after Examiner action</td> <td>\$</td> </tr> <tr> <td>115</td> <td>110</td> <td>215</td> <td>55</td> <td>Extension for reply within 1st month</td> <td>\$</td> </tr> <tr> <td>116</td> <td>390</td> <td>216</td> <td>195</td> <td>Extension for reply within 2nd month</td> <td>\$</td> </tr> <tr> <td>117</td> <td>890</td> <td>217</td> <td>445</td> <td>Extension to reply within 3rd month</td> <td>\$</td> </tr> <tr> <td>118</td> <td>1,390</td> <td>218</td> <td>695</td> <td>Extension to reply within 4th month</td> <td>\$</td> </tr> <tr> <td>128</td> <td>1,890</td> <td>228</td> <td>945</td> <td>Extension to reply within 5th month</td> <td>\$</td> </tr> <tr> <td>119</td> <td>310</td> <td>219</td> <td>155</td> <td>Notice of Appeal</td> <td>\$</td> </tr> <tr> <td>120</td> <td>310</td> <td>220</td> <td>155</td> <td>Filing a brief in support of an appeal</td> <td>\$</td> </tr> <tr> <td>121</td> <td>270</td> <td>221</td> <td>135</td> <td>Request for oral hearing</td> <td>\$</td> </tr> <tr> <td>138</td> <td>1,510</td> <td>138</td> <td>1,510</td> <td>Petition to institute a public use proceeding</td> <td>\$</td> </tr> <tr> <td>140</td> <td>110</td> <td>240</td> <td>55</td> <td>Petition to revive - unavoidable</td> <td>\$</td> </tr> <tr> <td>141</td> <td>1,240</td> <td>241</td> <td>620</td> <td>Petition to revive - unintentional</td> <td>\$</td> </tr> <tr> <td>142</td> <td>1,210</td> <td>242</td> <td>605</td> <td>Utility issue fee (or reissue)</td> <td>\$</td> </tr> <tr> <td>143</td> <td>440</td> <td>243</td> <td>220</td> <td>Design issue fee</td> <td>\$</td> </tr> <tr> <td>144</td> <td>600</td> <td>244</td> <td>300</td> <td>Plant issue fee</td> <td>\$</td> </tr> <tr> <td>122</td> <td>130</td> <td>122</td> <td>130</td> <td>Petitions to the Commissioner</td> <td>\$</td> </tr> <tr> <td>123</td> <td>50</td> <td>123</td> <td>50</td> <td>Petitions related to provisional apps.</td> <td>\$</td> </tr> <tr> <td>126</td> <td>180</td> <td>126</td> <td>180</td> <td>Submission of Information Dis. Stmt.</td> <td>\$</td> </tr> <tr> <td>581</td> <td>40</td> <td>581</td> <td>40</td> <td>Recording each patent assignment per property (times number of properties)</td> <td>\$40</td> </tr> <tr> <td>146</td> <td>690</td> <td>246</td> <td>345</td> <td>Filing a submission after final rejection (37 CFR 1.129(a))</td> <td>\$</td> </tr> <tr> <td>149</td> <td>690</td> <td>249</td> <td>345</td> <td>For each additional invention to be examined (37 CFR 1.129(b))</td> <td>\$</td> </tr> <tr> <td colspan="5">Other fee (specify) _____</td> <td>\$</td> </tr> <tr> <td colspan="5">Other fee (specify) _____</td> <td>\$</td> </tr> <tr> <td colspan="5"><b>*Reduced by Basic Filing Fee Paid SUBTOTAL (3)</b></td> <td><b>\$ 40.00</b></td> </tr> </tbody> </table>	Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid	105	130	205	65	Surcharge - late filing fee or oath	\$	127	50	227	25	Surcharge - late provisional filing fee or cover sheet	\$	139	130	139	130	Non-English specification	\$	147	2,520	147	2,520	For filing a request for reexam	\$	112	920*	112	920*	Requesting publication of SIR prior to Examiner action	\$	113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	\$	115	110	215	55	Extension for reply within 1st month	\$	116	390	216	195	Extension for reply within 2nd month	\$	117	890	217	445	Extension to reply within 3rd month	\$	118	1,390	218	695	Extension to reply within 4th month	\$	128	1,890	228	945	Extension to reply within 5th month	\$	119	310	219	155	Notice of Appeal	\$	120	310	220	155	Filing a brief in support of an appeal	\$	121	270	221	135	Request for oral hearing	\$	138	1,510	138	1,510	Petition to institute a public use proceeding	\$	140	110	240	55	Petition to revive - unavoidable	\$	141	1,240	241	620	Petition to revive - unintentional	\$	142	1,210	242	605	Utility issue fee (or reissue)	\$	143	440	243	220	Design issue fee	\$	144	600	244	300	Plant issue fee	\$	122	130	122	130	Petitions to the Commissioner	\$	123	50	123	50	Petitions related to provisional apps.	\$	126	180	126	180	Submission of Information Dis. Stmt.	\$	581	40	581	40	Recording each patent assignment per property (times number of properties)	\$40	146	690	246	345	Filing a submission after final rejection (37 CFR 1.129(a))	\$	149	690	249	345	For each additional invention to be examined (37 CFR 1.129(b))	\$	Other fee (specify) _____					\$	Other fee (specify) _____					\$	<b>*Reduced by Basic Filing Fee Paid SUBTOTAL (3)</b>					<b>\$ 40.00</b>
Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid																																																																																																																																																																																																																																																																																	
101	710	201	355	Utility filing fee	\$																																																																																																																																																																																																																																																																																	
106	320	206	160	Design filing fee	\$																																																																																																																																																																																																																																																																																	
107	490	207	245	Plant filing fee	\$																																																																																																																																																																																																																																																																																	
108	710	208	355	Reissue filing fee	\$																																																																																																																																																																																																																																																																																	
114	150	214	75	Provisional filing fee	\$																																																																																																																																																																																																																																																																																	
<b>SUBTOTAL (1)</b>					<b>\$ 710.00</b>																																																																																																																																																																																																																																																																																	
	Extra	below	Fee from	Fee Paid																																																																																																																																																																																																																																																																																		
Total Claims 18 - 20 = 0	x	18.00 =	\$																																																																																																																																																																																																																																																																																			
Independent Claims 4 - 3 = 1	x	80.00 =	\$80																																																																																																																																																																																																																																																																																			
Multiple Dependent		270.00 =	\$																																																																																																																																																																																																																																																																																			
Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description																																																																																																																																																																																																																																																																																		
103	18	203	9	Claims in excess of 20																																																																																																																																																																																																																																																																																		
102	80	202	40	Independent claims in excess of 3																																																																																																																																																																																																																																																																																		
104	270	204	135	Multiple dependent claim																																																																																																																																																																																																																																																																																		
109	80	209	40	Reissue independent claims over original patent																																																																																																																																																																																																																																																																																		
110	18	210	9	Reissue claims in excess of 20 and over original patent																																																																																																																																																																																																																																																																																		
<b>SUB TOTAL (2) \$ 80.00</b>																																																																																																																																																																																																																																																																																						
Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid																																																																																																																																																																																																																																																																																	
105	130	205	65	Surcharge - late filing fee or oath	\$																																																																																																																																																																																																																																																																																	
127	50	227	25	Surcharge - late provisional filing fee or cover sheet	\$																																																																																																																																																																																																																																																																																	
139	130	139	130	Non-English specification	\$																																																																																																																																																																																																																																																																																	
147	2,520	147	2,520	For filing a request for reexam	\$																																																																																																																																																																																																																																																																																	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	\$																																																																																																																																																																																																																																																																																	
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action	\$																																																																																																																																																																																																																																																																																	
115	110	215	55	Extension for reply within 1st month	\$																																																																																																																																																																																																																																																																																	
116	390	216	195	Extension for reply within 2nd month	\$																																																																																																																																																																																																																																																																																	
117	890	217	445	Extension to reply within 3rd month	\$																																																																																																																																																																																																																																																																																	
118	1,390	218	695	Extension to reply within 4th month	\$																																																																																																																																																																																																																																																																																	
128	1,890	228	945	Extension to reply within 5th month	\$																																																																																																																																																																																																																																																																																	
119	310	219	155	Notice of Appeal	\$																																																																																																																																																																																																																																																																																	
120	310	220	155	Filing a brief in support of an appeal	\$																																																																																																																																																																																																																																																																																	
121	270	221	135	Request for oral hearing	\$																																																																																																																																																																																																																																																																																	
138	1,510	138	1,510	Petition to institute a public use proceeding	\$																																																																																																																																																																																																																																																																																	
140	110	240	55	Petition to revive - unavoidable	\$																																																																																																																																																																																																																																																																																	
141	1,240	241	620	Petition to revive - unintentional	\$																																																																																																																																																																																																																																																																																	
142	1,210	242	605	Utility issue fee (or reissue)	\$																																																																																																																																																																																																																																																																																	
143	440	243	220	Design issue fee	\$																																																																																																																																																																																																																																																																																	
144	600	244	300	Plant issue fee	\$																																																																																																																																																																																																																																																																																	
122	130	122	130	Petitions to the Commissioner	\$																																																																																																																																																																																																																																																																																	
123	50	123	50	Petitions related to provisional apps.	\$																																																																																																																																																																																																																																																																																	
126	180	126	180	Submission of Information Dis. Stmt.	\$																																																																																																																																																																																																																																																																																	
581	40	581	40	Recording each patent assignment per property (times number of properties)	\$40																																																																																																																																																																																																																																																																																	
146	690	246	345	Filing a submission after final rejection (37 CFR 1.129(a))	\$																																																																																																																																																																																																																																																																																	
149	690	249	345	For each additional invention to be examined (37 CFR 1.129(b))	\$																																																																																																																																																																																																																																																																																	
Other fee (specify) _____					\$																																																																																																																																																																																																																																																																																	
Other fee (specify) _____					\$																																																																																																																																																																																																																																																																																	
<b>*Reduced by Basic Filing Fee Paid SUBTOTAL (3)</b>					<b>\$ 40.00</b>																																																																																																																																																																																																																																																																																	

SUBMITTED BY				Complete (if applicable)	
Typed or Printed Name		Michael W. Piper		Registration Number	39,800
Signature				Date	May 31, 2001
				Deposit Account User ID	

#2  
C. Barnes

<b>REQUEST AND CERTIFICATION UNDER 35 U.S.C. 122(b)(2)(B)(i)</b>	First Named Inventor :		<b>Balagurunathan Balasubramanian et al</b>
	Title:	<b>Method and Software for Testing and Performance Monitoring</b>	
	Attorney Docket Number		<b>Sprint IDF 1595 (4000-04000)</b>
	Express Mail Label No.		<b>EL733145421US</b>

I hereby certify that the invention disclosed in the attached application **has not and will not be** the subject of an application filed in another country, or under a multilateral agreement, that requires publication at eighteen months after filing. I hereby request that the attached application not be published under 35 U.S.C. 122(b).

5/31/2001  
Date

Michael W. Piper  
Signature  
Michael W. Piper  
Registration Number 39,800

This request must be signed in compliance with 37 CFR 1.33(b) and submitted with the application **upon filing**.

Applicant may rescind this nonpublication at any time. If applicant rescinds a request that an application not be published under 35 U.S.C. 122(b), the application will be scheduled for publication at eighteen months from the earliest claimed filing date for which a benefit is claimed.

If applicant subsequently files an application directed to the invention disclosed in the attached application in another country, or under a multilateral international agreement, that requires publication of applications eighteen months after filing, the applicant **must** notify the United States Patent and Trademark Office of such filing within forty-five (45) days after the date of the filing of such foreign or international application. **Failure to do so will result in abandonment of this application (35 U.S.C. 122(b)(2)(B)(iii)).**